

Message Text

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ACTION EA-12

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INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15

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FM AMEMBASSY RANGOON

TO SECSTATE WASHDC 5014

INFO AMEMBASSY DACCA

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E.O. 11652: N/A

TAGS: PINT, BM

SUBJECT: DEATH SENTENCES HANDED DOWN IN TREASON TRIALS

REF: (A) RANGOON 2733 (B) DACCA 1260 (NOTAL)

1. IN TWO UNRELATED CASES WITH STRONG POLITICAL OVERTONES, BURMESE COURTS SENTENCED SIX PERSONS TO DEATH AND THREE OTHERS TO LIFE IMPRISONMENT. ONE GROUP OF DEFENDANTS WAS ACCUSED OF HIGH TREASON FOR CONSPIRING TO ASSASSINATE THE LEADERS OF GOVERNMENT, PRESUMABLY INCLUDING PRESIDENT NE WIN (ALTHOUGH NO NAMES WERE MENTIONED AT THE TRIAL), AND TO SET UP A SEPARATE ARAKAN STATE. THE OTHER CASE INVOLVED WHAT ARE DESCRIBED AS "EXILE-TERRORISTS", PRESUMABLY LINKED WITH THE THAILAND-BASED PEOPLES PATRIOTIC PARTY, MADE UP LARGELY OF FOLLOWERS OF FORMER PRIME MINISTER U NU, WHO WERE FOUND GUILTY OF PARTICIPATING IN BOMBING INCIDENTS IN 1976 AND 1977.

2. THE CASE INVOLVING THE ASSASSINATION AND SEPARATIST CONSPIRACY WAS REPORTED IN GREAT DETAIL OVER THE PAST SIX MONTHS IN THE GOVERNMENT-CONTROLLED PRESS. ALTHOUGH THERE APPEARED FROM THE PRESS REPORTS TO BE SUFFICIENT EVIDENCE TO PROVE THE EXISTENCE OF THE PLOTS DESCRIBED IN REF A,

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NEITHER "CONSPIRACY" SEEMED TO HAVE GOTTEN MUCH BEYOND THE TALKING STAGE NOR DID EITHER APPEAR TO HAVE MUCH HOPE OF SUCCESS. THE PRINCIPAL FIGURE IN THE TWO CONSPIRACIES, MAHN NWE AUNG, A 40-YEAR OLD KAREN NATIONAL, IS THE FORMER HEAD OF A BURMA SOCIALIST PROGRAM PARTY (BSPP) TOWNSHIP UNIT IN RANGOON WHO WAS THROWN OUT OF THE PARTY IN 1976 FOR EMBEZZELING PARTY FUNDS. ANOTHER CONSPIRATOR, U HTEIN LIN,

WAS CHAIRMAN OF A BSPP UNIT IN AKYAB, ARAKAN STATE, AND A FORMER MEMBER OF THE PYITHU HLUTTAW (BURMA'S PARLIAMENT) WHO WAS SACKED IN 1975 FOR A BREACH OF PARTY DISCIPLINE. IN HIS CONFESSION, MAHN NWE AUNG ADMITTED THAT HE WAS PLOTTING TO ASSASSINATE THE LEADERS OF GOVERNMENT, BUT CLAIMED THAT HE HAD ONLY REACHED THE "PLANNING STAGE" AT THE TIME OF HIS ARREST. HE SAID THAT IN HIS VIEW THE PRESENT GOVERNMENT WAS A FAILURE AND THE ONLY WAY IT COULD BE CHANGED WAS TO ASSASSINATE ITS LEADERS. IF SUCCESSFUL, HE SAID HE PLANNED TO SET UP A CARETAKER GOVERNMENT HEADED BY GENERAL TIN OO.

3. IN THEIR TESTIMONY, THE PRINCIPAL DEFENDANTS ADMITTED THAT THEY HAD MET WITH THE BANGLADESH MILITARY ATTACHE IN RANGOON SEEKING HIS ASSISTANCE, BUT TESTIFIED THAT THE ATTACHE HAD REFUSED TO HELP, EXPLAINING HIS COUNTRY'S POLICY OF NON-INTERVENTION IN THE AFFAIRS OF NEIGHBORING COUNTRIES. THERE WAS NO TESTIMONY TO THE EFFECT THAT THE ATTACHE OR THE BANGLADESH GOVERNMENT AIDED THE CONSPIRATORS. THE ATTACHE'S INVOLVEMENT WAS NOT STRESSED DURING THE COURSE OF THE TRIAL.

4. IN THE OTHER CASE, TWO PERSONS, NANDA ALIAS HTWE NYO ALIAS TUN TUN, AND KYAW KYAW ALIAS KYAW MAUNG SOE WERE SENTENCED TO DEATH AND THEIR TWO ACCOMPLICES GIVEN LIFE IMPRISONMENT FOR SEVERAL BOMBING INCIDENTS IN 1976 AND 1977, INCLUDING THE EXPLOSION AT THE RANGOON OFFICES OF THE BURMESE LANGUAGE NEWSPAPER KYEMON DAILY ON NOVEMBER 29, 1976 AND A TIME-BOMB LIMITED OFFICIAL USE

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PLANTED AT THE THAMADA HOTEL IN RANGOON IN 1977. THE ARRESTS AND PROSECUTION IN THIS CASE WERE NOT REPORTED IN THE PRESS. ONLY THE SENTENCING WAS REPORTED ON FEBRUARY 21. HOWEVER, THE EMBASSY HAS BEEN INFORMED THAT THE NORMAL LEGAL PROCEDURES WERE FOLLOWED IN THIS CASE, INCLUDING A PUBLIC TRIAL, RIGHT OF THE ACCUSED TO CALL WITNESSES, RIGHT TO LEGAL COUNSEL, ETC.
BARTLEY

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